G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1909
(Margazi)

File No. 313 - 09

Serial Nos. 164

Papers Filed.

Month November 1910

SUBJECT.

Appeal of Giri Dikshit and others of Harihar re the procession of the Utsavar Swami thro the Car Street of Harihar -

PREVIOUS REFERENCES.

LATER REFERENCES.

G.R.S. 11] 1909-10.

GENERAL AND REVENUE SECRETARIAT.

(Muvvai)

NOTES.

File No. 313-09

FILE HEADING.

Appeal preferred by the residents of Harihar against the Chitaldrug Dy Commr's order permitting the procession of the Murgi Matt Swami through the car street of Harihar.

From

Gunda Dikshit alias Giri Dikshit and other residents of Harihar

No. Petition Dated 13. 11. 09 Received 19 11 09

Diary No. 980	Enclos.	Spare Copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Pray that orders may be issued prohibiting the Swami to pass in procession through the car street of Harihar and that pending such orders, the repetition of such a procession which the Swami is contemplating to have on a grander scale may be stopped.

NOTES AND ORDERS.

2nd Councillor's orders:-

Call for a report with records early. No Ad interim order is necessary.

Under Secretary's order.

Get also a sketch shewing the position of the temple and

NOTES—First sheet

GPB—30.000 -3-1-07

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General and Revenue Secretariat.

Mung File No. 3/3 of 1909

Serial No.	
	and the route of the procession.
	2 Despatched 14.9.12.09
	Issued 15/12/09
2	To The Dy Commr, Chidambaram Distt.
	O M no 1459 Dt 11.12.09
	Forwards SC 1 for report with records and calls for a sketch showing the portion of Sri Hariharaswaraswamy Temple and the route of the procession complained of
	To, Gunder Dikshitar alias Giri Deekshit
	Endt no 1460 Dt 11 12-09
	Intimates the above
3	From, The Dy Commr, Chidambaram Dt.
	Letter no 329 Dt 7 3 1910
	Reports with records.
	This dispute relates to the procession of Murugi Swamy in the Car-Street otherwise known as Halepet of Hariharpur.
Flag X)	The Sub Divl Officer Mr. N. Subba Roo's Report dated 4th October 1909 and the Dy Commr's report under disposal go fully into the facts of the case.
(Paper under disposal)	
	The Brahmins of Hariharpur town having petitioned in August 1909 to the Local authorities of Chidambaram complaining against the procession of Murugi Swamy in the Car-Street, the matter was
Flag Z)	

NOTE—Contn. sheet.

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Serial No.

enquired into and the Assistant Commr examined witnesses for the contending parties and has submitted his detailed report regd to - ne.

The documentary evidence bearing on the case is summarized below:—

(For Brahmins):-

Flag A) 1) Order of 1st class magistrate Mr Raghunatha Rau, dated 25th October 1886.

This order was passed on a petition praying for permission to conduct the car-procession of Basavanna Devaru in the Hale Pet of Harihar. It was held that the road was not reserved for the car-procession of Hariharesvara.

+ Flag B) 2) Minute from the late Maharaja of 2nd Feby. 1816 - It is mentioned that the road is reserved only for the car of Hariharesvara and the procession of Lingeri Swamy with all insignia.

(For Lingayets):-

* Flags C & D) Mudelakatu executed by Lingayets and Brahmins respectively on 22nd Novr 1890 before the Police Asst Commr purporting to say that both parties came to a settlement in respect of the procession of Lingayi

Note—Contn. sheet.

GPB—55,000—27-4-09

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Swamy in that year. The Brahmins agreed to the procession of Nuraga Swamy with certain stipulated insignia, through Harihar Town.

x Flag P) (Produced by the mahr)

2) Record showing that the Swamy of the Nuraga matt halted in Harihar from 14th Nov^r to 3rd Dec^r 1890. It is mentioned that the Swamy then passed through the Street under dispute.

In his detailed report, the Assistant Commr states that with the exception of a single house, other houses in the Street are occupied by persons other than Brahmins and that processions of Jains, Village deities, & marriages pass through this street. That officer solicits orders of Dy Commr in the matter.

Flag O)

The Dy Commr thinks that the order of 1886 relied on by Brahmins has no bearing on the question at issue as it relates to the procession of Basaveswara Devaru. He observes that the execution of Kuteholika by Brahmins in 1890 goes to show that they waived —

NOTE—Contn sheet

GPB—55,000—27.4.09

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Mug File No. 313 of 1909

Serial No.

Their objection to the Murugi Swamy going in that particular street. He states that as the people residing in the car-street have not put in objection to the procession, the matter is not fit for consideration and, argues that when the procession of other communities pass through the street, there is no reason why the Murugi Swamy's procession also should not pass. For the above reasons, he has decided that the Murugi Swamy may go in procession in car-street.

Against the foregoing order, the Brahmins have appealed to Govt

Flag 5)

The chief grounds for appeal are:—

1) That they were not given sufficient time to produce all the documents in their favour.

2) That the processions ~~at~~ referred to by the Dy. Commr are carried on under an express and written agreement between the parties concerned.

3) That manual guides such processions in Harihar.

4) That the Kuttchalika alluded to

NOTE—Contn. sheet.

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did not include the car-street and the Murugu Swamy did not so in procession in that street.

5) That the residents of the Street including Mahomedans who have a Darga there have taken objection to it.

6) That records connected with the Utsava of Basaveswara have an important bearing on the case.

7) That only one Brahmin resides in the Street is no matter of consequence as the street is claimed as the car-Street of Sri Harihara-eswara Swamy temple.

As regards the first point, the Dy. Commr. reports that he gave a week's time to the Brahmins to produce copy of the Sanad, but they failed to do so.

As regards the fifth point, the Dy. Commr. states that the Mahomedans did not take objection to the procession and that they have only an Ashurkhana and (Musafirkhana) intended for the halting of Mahomedan travellers

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
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Visiting the place.

The Sketch showing the position of Sri Hariharesvaraswamy temple etc has also been received.

Submitted for orders

AG
2.6.10

The route of the Swami's procession is shown in the sketch V. & authenticated by the Asst Commr who was present during the procession the sketch would be Valuable for reference in future.

The objection of the Brahmins is confined to the procession in the main sheet of Haribar known as Kalipete or Agraharam. This is the portion marked 1 & 2 in the sketch. The contention of the Brahmins seems to be that the Swami should go along the road marked 1 & 2 in the sketch. The portion to the West of 2 is apparently the footpath for the Swami has not gone. Perhaps he does not claim a right to go there. If he should claim any such right careful enquiry would be necessary as the road leads directly to the Temple and, if I am not mistaken, the houses of Brahmins are in this portion.

The documents relied upon by the Brahmins are the following:-

(1). order of Mr. Raghunatha Rao, Asst Asp

Flag N

Note—Contn. sheet.

GPB—55,000—27.4.09

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Serial No.	
	Magistrate of d 25. XI 86.
Flag 7	(2) Circular order No 1576 of 3 10. 1894 to Amildar of Haveri from the Superintendent of Shirsi
Flag 2	(3). Circular order No. 2250 of 2. 11. 61, cancelling the above circular
Flag 7	(4). Minute of 2. 2. 1876 of the Assistant Collector Mr Chaman to the Kumbarwaj Wodayer
Flag 3	(5). Order of the Dewan agent Sirsi Dist. of 11 10 92.
Flag 4	(6). Order No. 143 of 14 12. 63 from the Superintendent, Shirsi District to the Amildar of Haveri.

No (1) refers to the prescription of Basava in the ~~street~~ Halepeti or car street.
The Magistrate said the shall be exclusive for the prescription of Haveriamma; and would not grant a licence.
~~No (2)~~ In 1894 the then Dt. Magte similarly refused to grant a licence. The Chief Court ~~was~~ declined to interfere Mr. M S Nanja Rao Dist. Magte also declined to grant a licence in 1895.

No. (2) seems to decide that the was a public road and the Brahmins were at liberty to take Ganesa procession along this
No. (3) cancels the above.
No (4) is to the effect that the shall be exclusive

NOTE—Contn. sheet.

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(9

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Serial No.

for the Car procession and for prosecution of the Sarvajni Swami with mayne.
Neither the original nor an authenticated copy has been produced. One Ramchandra Rao is said to be the writer of this. In the letter to the Chief Court in 1886 in another connection His Highness the late Maharaja has described Govt Ramchandra Rao had been dismissed for forging Nirupa (see Vide para 6 of Printed Book on Agraharthin case).

No (5) pertains to the procession of Basavanna in the Car Street

No (6) relates to the procession of Kama and is to the effect that the Street there in dispute has under the 20 & 21 of Veerappa Shetti Yallappa the Sarjapt Court and object to the procession of the Brahmans.

The Sarjapt rely on the following documents:

Marg S (1). Deed granted to the Brahmins of Chikkadevaraya by the Car in accordance with the order of Govt. on 1.8.1809

Marg W (2). Memorandum executed by the leading Brahmins of Mandya on 29.11.1890 before the Munsiff Asst Court: about the procession of the Mariyi Swami

Marg R. (3) Memorandum recorded by Sarjapt dated

Marg A (4). order of the Chikkadevaraya Dy Court of No. 1551

—Contn sheet.

GPB—55,000—27-4-09

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Mug File No. 313 of 1907

Serial No.	
	Ps 10. 8. 91 to Asst Collr of Customs forwarding letter in connection with a Warrant executed by one Ramchandra
Mug K	(5). Statement of Harbour Receipts for 1891 before the Asst Chief Magistrate of Hamilton.
Mug L	(6). Harbour Master's order Ps 3.12.94 about proceedings of Pilots
Mug J	(7) Licence granted on 13.6.90 for Lighters proceedings in Harbour.
Mug N	(8) Licence no Ps 29.9.93 for proceedings of Lighters Vinayaka of Lighters in Harbour.
Mug P.	(9). Memo of the doings of the Nawab Ameer at Hamilton from 17.11.1890 to 3.12.1890 of these No (1) throws no light on the present case. Nos 2 and 3 are important. His Lordship when the Nawab was at Hamilton in 1890 there arose the usual dispute about proceedings and had it amicably settled on the Lighters undertaking not to use the Virginia Wharves objected to by the Port Authorities a Memorandum. These are 2 & 3 The Memorandum of the Berthmen is signed by three persons only who are now dead. Authenticated copies of 2 and 3 being have been procured. The original accounts if available may be for further information.

Contn. sheet.

GPB—55,000—27-4-07

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May File No. 313 of 1909

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Mr Barbarin now contends that this Merchandise after assignment is not to the credit of this proceeding. It is my humble opinion that this contention is fair.

The Judgment in favour of Barbarin was produced before No 9 Court on the occasion of the third hearing and formed part of proceedings along with Case stated.

I am not sure if this has been produced from proper custody. It is admitted by Walker a few days after the hearing before Hamilton. Mr Barbarin appears to have signed it through at reference to 1850 in some places there is, apparently erroneously, and to the 91. of the person, who have signed it a few have been examined; and speaks of its genuineness.

The parties may, of course, be heard before Council

499 Attorney-

12/4/1910

3314

3837

I have gone through these papers. The documentary evidence is of little value. The Marriage of 1816 has not been properly proved and cannot be taken to be evidence of any fact

Contn. sheet.

GPB—55,000—27-1-09

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Mug File No. 3/83 of 1909

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The record of the Murigi Swami's itinerary is not also of any value and cannot be admitted as evidence at all.

The Muchalkas of 1890 are no doubt genuine, but they refer only to the insignia and not the streets allowed for processions. The order of the Magistrate passed in 1886 no doubt refers to this street but it related to the Car procession of Basavanna It is doubtful whether its scope can be analogically extended, as other processions — prima facie of less importance than the passage of a Guru's procession — have been admittedly (though under sufferance) ~~allowed~~ passing there.

Little or no weight can be attached to the oral evidence now recorded, as it is very easy to get such evidence in a matter arousing such deep feelings of partisanship.

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Govt has therefore to decide the question on general grounds. There are no ~~temple~~ temples of Brahmans, and there seem to be no houses inhabited by them in this Street. The Harichandrara Temple seems to be situated elsewhere and it is not claimed that the Jain should pass in procession before the said temple. Except for the mortification of seeing their contention overruled, it does not appear that the Brahmans have ~~any~~ plausible grounds to object to ~~this~~ the present claim. It has been settled definitely that no offensive insignia should be carried by the ~~Jain~~ Lingayats in such processions. I am therefore inclined to uphold the Dy Cr's order and reject the petition of the Brahmans. I have heard what they had to say on one or two occasions, and do not think that they can add anything likely to elucidate

NOTE—Contn sheet.

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the Case.

It is to be regretted that such disputes should crop up again & again. In the allegations of facts, neither side is likely to be altogether wrong, though it would always be difficult to adduce adequate proof ~~in support~~ of facts supporting such restrictive usages — which are often tacitly acted up to but rarely reduced to definite issues, by the parties affected by them. It is difficult to reduce such local usages to rules and orders. They are likely to disappear with the advance of enlightenment and the promotion of feelings of mutual toleration. It would perhaps be best to require local authorities to exert themselves to settle such disputes, finally by local arbitration.

If agreed to, an order may be passed on these lines.

16/5/10

Asst. Secy. to Govt.

16/5/10

Secy. to Govt.

Note:—Contn sheet.

GPB—55,000—27-4-09

15/5/1910

Agree with the Secretary

G. R. S. 12]
General and Revenue Secretariat.

File No. 313 of 1909

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	Counsel that the petition has to be rejected – A brief endorsement to this effect may be signed if at all necessary – at this distance of time – [I had occasion to visit Rameshwaram & see the Temple & the streets in question – The 2nd Counsel's findings are in entire accordance with what I saw –] Sd/- 3 Nov 10
	By Respondent's advocate – as 8/11/1910
754	Submitted with a copy of the counter. AD 9.11.10 A copy is necessary. Else the petitioner will petition again Ambalavanaya 9.11.1910
	Copy applied by Mr Gopala 10/11/10. By Issue 14/11/1910
4	Proc No 1323 dt 19 11 1910 to Gundla Dikshitar alias Ganesa Dikshitar of Rameswaram. Intimating that Govt do not see any reasons to alter the

Form—Contn. sheet.

GPB—50,000—15-5-08

G. R. S. 12]
General and Revenue Secretariat.

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Serial No.

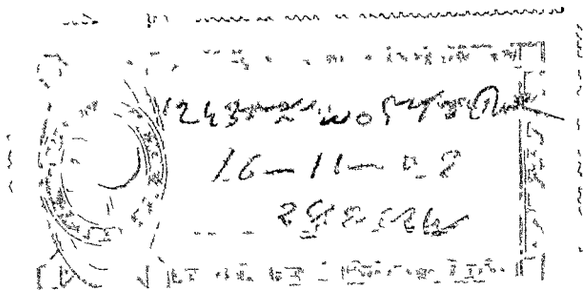
the order passed by the Dy Commr.

To. The Dy Commr Chittagong Divn
No 1325 dy 19 11 10
Forwards copy of the above

To - The Asst Magr Hatia
No 1326 dy 19 11 10
Forwards copy of the above.

NOTE—Contn. sheet.

GPB—50,000—18-5-08



Presented by
Mr. Subbanna for Petr.

D. 9211
313-09—1

To,

Call for a
report with
records
early.
H
19/11/09

The Government of His Highness

The Maharaja of Mysore, Muzrai Department,

The humble petition of the undersigned residents of Harihar, most respectfully beg to submit:-

That the Swami of Sree Murgi Mutt in Chitaldrug wanted to go in procession through the Car street of Hari-Har and some of the Lingayats of Harihar applied for permission to take him through the said street in procession; but the petitioners represented to the authorities that it was against Manool to do so and that the Lingayat Swamy's procession through the Car Street of Sree Harihareswaraswamy's temple, was meant to wound the feelings of the Brahmins of the town and the non-lingayat residents of the Car Street otherwise called Halepette.

Need interim order necessary?

Refer
9/A.
19.11.09

That the learned Deputy Commissioner of Chitaldrug gave the permission sought for and the procession was hurried through with Government help and the petitioners had no opportunity of making this appeal before it took place.

That the order of the learned Deputy Commissioner (a copy of which is herewith presented) is in error for

the following reasons:-

(a) That the learned Deputy Commissioner did not allow the petitioners sufficient time to produce copies of certain very important Government records, to wit, get a copy of the Niroop of His Highness the late Sri-Krishnaraja Wodayar Bahadur, a copy of a decision of the Nagar Division Commissioner in 1864 and the copies of certain orders relating to the question of Brahmins using Hosapette during the Kamanna festival;

(b) That there is abudant evidence to hold that the Lingayats could not use the Car - Street for processions of any kind except certain marriage and Naptial processions which are carried on under an express and written agreement between the Lingayats - and the other party;

(c) That the learned District Magistrate took an erroneous view of the disputes between the Lingayats and the petitioners on various occasions of processions and this and the fact that they (Lingayats) had to take express permission of the opposite side to go in procession through this street on - occasions of marriage and nuptials up to date, are clearly indicative of the weakness of their title to go in this street in procession as a matter of right;

(d) That in the Town of Harihar the consideration of Mamool always guides the action of people going in procession is apparent from the fact that the Brahmins are prohibited from taking their Kamanna through Hosapette (Lingayat Street) in procession;

(e) The statement of the brahmins in 1890 that the Swamy can go in procession through Harihar without the 12 "birudugalu" is misconstrued by the learned Deputy Commissioner; it does not refer to the Car Street of Sree Harihareswara and the Swamy did not go in - procession through the Car street then;

(f) That it is not correct to say that the residents of the Car Street 'welcome' the Swami or even that they have no objection. The Mohammadans who have a Darga there (between whom and the Brahmins there is an old agreement as to their respective processions) have petitioned against this and sent telegrams to the authorities objecting to this, and the Vyasyas that reside there have also done so;

(g) That the Lingayats have not proved any mamool in their favour;

(h) That proceedings and records in connection with the Lingayat processions of Basaveswara are important and the learned Deputy Commissioner erred in thrushing them aside as being beside the point;

(i) That while the objection to Basaveswara processions is treated as irrelavent the question of Mohamaden Thaboots going through this street is made use of as being quite pertinent as a point against the petitioners, though these thiggs are governed by an express and ancient written agreement between these parties;

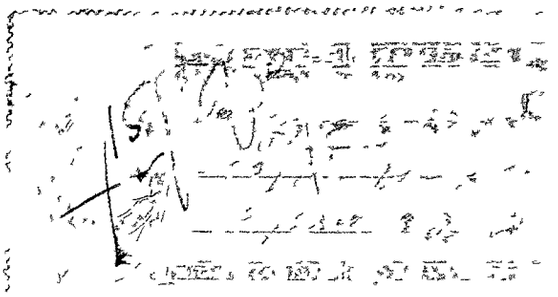
(j) That only one Brahmin resides in the street is not matter of consequence as the street is claimed as the Car Street of Sri Harihareswara Temple (a famous and ancient Brahmin Temple) and for the matter of that there are several -- Brahmin shops in this street from olden times.

The petitioners therefore pray that the Government will be pleased to decide that the Swami should not go in procession through the Car Street, and they further submit that the Swami is contemplating another visit to Harihar on a grander style,

And the petitioners therefore pray that during the pendency of this appeal the repetition of such a procession may be stopped.

13th November 1909.

J. La Kshmana Rao



M E M O .

Read:-

(1) Report No.109 dated 7th Instant from Mr. P. Subba Rao, Sub-Division, Officer, Davanagere, and also the records of enquiry held by him re the Murgi Matt Swami going in procession in the car street of Harihar town.

(2) Petition dated 7th October 1909 with enclosures presented by Brahmins of the Harihar town.

(3) Memo dated 4th Instant by the undersigned calling upon the Sub-Division Officer for submission of the records of enquiry in the matter.

and (4) Vernacular correspondence ending with the Harihar Deputy Amildar and 3rd class magistrate's report No.152 dated 7th March 1904.

Heard in person Parapathegar Lingappa and Manager Basappa and other Lingayets on the side of the Matt and also Hutchu Rao, Anoiba Naik, Sesha Dikshit and certain others on behalf of the Brahmin Community residing at Harihar.

O R D E R.

The Brahmins now contend that the Murgi Matt Swami should not be permitted to go in procession through the Halepet road otherwise called car street in the Harihar town, as it is contrary to mamool and they rely chiefly on 2 documents in support of their contention. One is the Nirup said to have been issued by the late Maharaja Krishnaraj wodayar III dated 2nd February 1816. Neither the original nor a certified copy of the said document has been produced by the Brahmins, although they themselves raised objection more than 2 months ago to the Murgi Swami going in procession in the said street and had ample time to produce an authenticated copy of the same. They having failed to do so, I cannot therefore discuss the contents of the copy presented by them. Another

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document [illegible] by the Brahmins is the order of the first class Magistrate Mr.Raghunatha Rao dated 25th October 1886. This relates to the procession of the Basavanna Devaru[illegible] in the street in question and has therefore no bearing whatever on the question of Murgi Matt Swami passing in procession in the said street. Here also the objection of the Brahmins falls to the ground, as it does not create a mamool in their favor.

In the year 1890 when the Murgi Swami had gone to Harihar, some of the leading Brahmins of the place have executed a mutchalika to the effect that they have no objection to the Swami going in procession in the town of Harihar provided certain specified insignias were given up and that both the parties had thus come to a mutual agreement. This clearly goes to show that the Brahmins waived their objection to the Murgi Swami going in this particular street. The question of insignias for the Murgi Matt having been finally disposed of by Government in their order No.5547-58 dated 28th May 1907, the Brahmins are estopped from taking objection to the Swami passing in this par-ticular street. Further in the car street excepting one house which has been recently rented out to one Brahmin (Jaya Char), the other houses are occupied by other classes of people who have no objection whatsoever to the Swami moving in procession in the street. It would further appear from the records of enquiry that processions of Mahomedan Tabuts, of village deities, of marriages &c have taken place in the said street. If the people residing in the street put forward plea of mamool and object to the procession going in that street, this will be a proper ground for consideration; but on the contrary, when they are prepared to welcome the Swami and When procession belonging to other communities pass through this street without any restric-tions whatsoever, I fail to understand the objections now put forward by the Brahmins. For the above reasons, I decide that Murgi Swami may go in procession in the car street.

Signed/ M.Chengiah Chetty

Deputy Commissuoner's office. Deputy Commissioner

Dated , Chitaldrug, 15 October 1909. Chitaldrug District.

"Copy"

Name of applicant - Puchoo Rao and others
Date of application 15.10.09
Copy ready for 15.10.09
No. of words . . 738 - fee. 1-0-0
fees 0-5-6
0-0-3

Deputy Commissioner
Chitaldrug District

2365

7

1459 Encls 4

Muz.4] M-7. 313-09-2

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Appeal Petition No. D 980 Muz 313-09-1 dated 13th Nov. 1909 received at this office from Gunda Dikshit alias Giri Dikshit and other residents of Harihar, complaining of the Chitaldrug Dy Commr's order permitting the procession of the Murgi Math Swami through the car street of Harihar,

is forwarded, together with its enclosures, to the Deputy Commissioner of the Chitaldrug District for submission of the entire records connected with the case together with a detailed report thereon at an early date.

2. A sketch shewing the position of the Sri Hariharesvaraswami temple and the route of the procession complained of should also be submitted.

3. The appeal petn and its enclosures may be returned along with the report hereby called for above

By Order,

10/11/09

BANGALORE,
11-12 1909

for Secretary,
~~Muzrai Department.~~

11/9.12.09

GPB—S00—29-9-07

No. 1460 ... 12
No. 7-313-09-2 Endorsement granted, to 09

Gunda Dikshit alias Giri Dikshit and other residents of Harihar, with reference to their Petn. Regd. No. D 980 Mur 2 313-09-1 dated 13th Novr. 1909, appealing against the order of the Chitaldrug Deputy Commissioner permitting the procession of the Murgi Matt Swami through the car street of Harihar.

In reply, the petitioners are informed that a report with the records has been called for from the Dy. Commr. and that the matter will be disposed of on receipt of them, the merits will be disposed of. No ad interim order staying the procession can however be issued on the ^ as prayed for Subject as prayed for.

By order,

[signature]

for Secretary.

4.9.09

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ವಾದಿ

ಪ್ರತಿವಾದಿ

ಪು॥ರಾ॥ _____ ಪರಿಗೆ.

ಬರೆಸಿಕೊಟ್ಟ ನಕಲುತ್ತಾಮಿ

ಮೇಲ್ಕಂಡ ನಂಬರ್ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವ್ರ ನನ್ನ ಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ವಿವಾದಿಸಿ ವ್ಯಾಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಗ್ಯಾ, ಈ ಮೊಕದ್ದಮೆಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಶಿಷ್ಟ ನಡವಳಿಕೆಗಳ ವಿಷಯದಲ್ಲೂ ಅರ್ಜಿ ವಗ್ಗೆರೆ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರಿಹೊಂಲಗು, ಶಿಲ್ಕುಹೊಂಲಗು ನಹಜವಡದ ಕೊಂಡ ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ ಕೋರ್ಟಿನಿಂದ ನನಿಗಾಗಿ ವಾಪಸು ಆಗುವ ದಾವಾಸ್ಟಾಂಪು ಪ್ರೊಸೆಸ್ ಸ್ಟ್ಯಾಂಪುಸಹಾ ಪಡದುಕೊಳ್ಳುವದಕ್ಕೂ, ಮತ್ತು ನನ್ನ ಜಾಬ್ತಾ ವಿಸಿಷ್ಟ್ಬದಸ್ಕ್ರೈಜು ವಗ್ಗೆರೆಗಳನ್ನು ಕೋರ್ಟಿನಿಂದ ವಾಪಸು ತೆಗದುಕೊಳ್ಳುವದಕ್ಕೂ, ನಹ ಈ ಮೂಲಕ ತಮಿಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟ್ಯಿರುತ್ತೆನೆ. ಈ ವಿಷಯದಲ್ಲಿ ತಾವ್ರು ನಡಿಸುವ ಕೆಲಸಗಳೆನ್ನೆಲ್ಲಾ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದರುವಂತೆ ಒಪ್ಪಲೂ ಇದರಿಂದ ಬದ್ದನಾಗಿ ಇವ್ವೆನೆ.

ತಾರೀಖು 13-10-09

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ಇಷಕ್ಕೆ ರುಜು ಮಾಡಿರುವದ್ದರಿಂದ ನಾನು ನರಪಿಸ್ಟ್ ಮಾಡಿಯಿ ದ್ದೆನೆ.

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರನ್ನು ಖುದ್ದಾಗಿ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ಇಷಕ್ಕೆ ರುಜು ಮಾಡಿರುವದ್ದರಿಂದ ನಾನು ನರಪಿಸ್ಟ್ ಮಾಡಿಯಿದ್ದೆನೆ.

16.11-09.

ಈ ಪೂರ್ತು ಬೆಂಗಳೂರು ಸಿಟಿ ಸಿವಿಲ್ ಕೋರ್ಟಿನಲ್ಲಿರುವ ಪಿಸ್ವಪ್ಲೆಂಟ್ಟರವರಲ್ಲಿ ಮೊದಿಯಾಗಿದೆ.

A 1690

1910

From The Deputy Commissioner Bagdad 31-12-09 to the Political Agent

To The Secretary to the Government Revenue Department Baghdad

Dated

Despatched 1 March 1910

Received

General No. 329

No.

Enclosure No. 4 pgs

Reporting on the petition of Sundes Orhanik of Hamkan Complaining that the Mukhtar of the Murshidia town has taken

Refer

Ly 8/3

8/3/10

Ly

11

No 329
4/10

Deputy Commissioners Office,
Chitaldrug District
Dated, Chitaldrug, 1st March 1910

From

Mr Chengrai Chetty, Esquire, B.A
Deputy Commissioner,
Chitaldrug District

To

C. S. Balasundaram Iyer Esquire B.A
Offg Secretary to the Government of
His Highness the Maharaja of Mysore,
Mysore Department,
Bangalore

Sir,

With reference to your Official memorandum No 1459/Mug F 313-09-2 dated the 11th December last forwarding for report an appeal petition from Gunda Dikshit and other residents of Harihar town complaining against my order permitting the procession of Murgi Math Swamy through the Car Street in the Harihar town, I have the honor to report as follows.—

2. In August 1909, the Brahmins of the Harihar town petitioned to the Sub-Division Officer of Davangere to the effect that the Murgi Swamy contemplated a visit to the Harihar town shortly and that the Lingayats of (Flags

the place intended taking their guru in pro-
-cession through the Car street and that this
should be prohibited as it was contrary to
Mamool and to some of the judicial decisions
passed in the matter. Thereupon, the question
was referred to the Deputy Amildar for enquiry
and report. On receipt of records from him,
the Sub-Division officer submitted the same
to me soliciting instructions as to whether
the objections raised by the Brahmins against
the Murgi Swami going in procession on
the Car street, should be entertained on the
strength of the order passed in Criminal
Miscellaneous Case No. 62 of 1886 which the
petitioners produced in support of their
objection. (Hag Y) In my Memo No. 218 dated
4th September 1909, the Sub-Division Officer
was called upon to hold detailed enquiry
and to furnish me with some more
particulars in the matter under dispute.
The facts of the case are fully and clearly
set forth in that Officer's Memo No 109 (Hag X)
dated 7th October 1909 as well as in the
order passed by me thereon and therefore
require no reiteration.

13

3. As regards the points urged in the appeal petition*, I beg to make the following (+Flag Z) observations.-

The appellants were aware of the intended visit of the Swami in August 1909 to Harihar town and the procession took place in October following. Thus they had ample time to produce authenticated copies of documents &c in support of their contention. I however, allowed them a week's time to produce the copy of the Firman of His Highness the Maharaja Sri Krishnaraj Wadiyar Bahadur relied upon by them. This they failed to do.

Reference is invited to the enclosed Vernacular Correspondence ending with Harihar Deputy Amildar's report No. 112 dated 7th March 1906 addressed to the District Magistrate of Chitaldroog in which is enclosed a copy of the statement* of the leading Brahmins of (Flag W the place given before the then Police Assistant Commissioner agreeing to the Swami passing through the Harihar town in procession and from the enquiry held by Mr. Subba Rao, it is evident that the Swami visited Harihar in 1890 and

ri procession through the whole town with the Consent of the Brahmins.

4) I forward herewith a sketch* showing the position of the Sri Hariharesvara Swami temple and the route of the procession complained of. From this, it will be seen that the route through which the procession passed does not abut the temple but is far away from it. I therefore Consider that the objections of the appellants are not tenable

(Flag W)

5. As regards the point raised in para (F) of the appeal petition, that the Mahomedans who have a Darga there, have petitioned against this procession of the Swami, I beg to invite kind reference to the enclosed sketch from which it will be clear that the building referred to, is not a Darga but an Ashar Khana (Musafer Khana) intended for the halting of Mahomedan travellers visiting the place and that none of the Mahomedans seem to have taken objection to the passing of the procession of the Swami in the

15

Car street

6 The Davangere Sub-Division officer's memo and the records of enquiry held by him are forwarded herewith for kind perusal and obliging return when no longer required The Enclosures received with the above are herewith returned.

I have the honor to be,

Sir,

Your most obedient Servant,

Deputy Commissioner

Chitradurg District

46

NO 1322
Mus 313-09-[illegible]

1690
14-11-09

With reference to their petition regd no 3980 dated 13th November 1909 appealing against the order of the Dy. Commr, Chitaldrug Dist, permitting the Muragi Swamy to go in procession with insignia in the Car-street or Hale pete of Harihar Gyanda Dikshit alias Guri Dikshit and certain other residents of Harihar are informed that upon perusal the records of the case and hearing the oral representations made by some of the petrs Court do not see any reasons to differ ~~in opinion that~~ the Dy. order passed in the case. ~~Petrs. must be informed~~

the petition is therefore rejected.

By order
9/11/10
Secretary

Demi-official order
No 1325
mus 313-09-4 Dt 9-11-10 9.11.10

Copy of the above is forwarded to the Dy. Commr. Chittagong Divn., with ref to his letter no. 329 Dt 7th March 1910.

2) The records are herewith returned.

By order,
9/11/1910
Secretary.

No 1324
mus 313-09-4 Dt 9/11/10. 9.11.10

Copy to Agent, Muragi Hatt.

11/11/10

By order
9/11/1910
for Secretary

9.11.10

Previous references.

1909.
(Miscl.)

File No. 314—09
Serial Nos. 1 to 10.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 10.

Part B. for May 1912.

SUBJECT.

Archakship of the Sri Channakesava Swami Temple at Besagarahalli in the Maudya Taluk.

Sl. 1. Petition from Archak Sanjeeviah of Basavarahalli, Maudya Taluk. Dated 15th November 1909.
Appeals against the order of the Dy Com., Mysore District directing that the archakship of the temple may be registered in the joint names of the Petitioner & one Venkatappa

Sl. 2. To Mr. K. R. Seshiengar, Advocate for the Appellant
G. R. S. 58 No. 1436 dated 9 December 1909.
Calls upon him to explain the delay in filing the Appeals.